

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**JOSEPH SIEGEL, DAVID L. POWELL,
and GENE A. GRANT II,**

Plaintiffs,

v.

COMPASS BANK d/b/a BBVA COMPASS,

Defendant.

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CIVIL ACTION NO. 3:18-CV-01023-X

DEFENDANT’S SUPPLEMENTAL PROPOSED JURY INSTRUCTIONS

Defendant Compass Bank d/b/a BBVA Compass (“Compass Bank”) hereby submits the following supplemental proposed jury instruction and questions.

PROPOSED JURY INSTRUCTION NO. 16a¹

Limitations

Before a plaintiff can file a lawsuit alleging discrimination or retaliation on the basis of national origin, age, or disability, the plaintiff must first file a charge of discrimination with the Equal Employment Opportunity Commission (the “EEOC”), or another state or local agency, within 300 days of the date the alleged discrimination or retaliation. If, after investigation, the agency issues a right-to-sue letter to the plaintiff, the plaintiff has 90 days from receipt of that letter to file a lawsuit based on the allegations in the charge of discrimination.

ACCEPTED: _____

REJECTED: _____

To which rejection, Compass Bank hereby objects.

UNITED STATES DISTRICT JUDGE

AUTHORITY:

42 U.S.C. § 2000e-5(e)(1), (f)(1); 29 U.S.C. § 626(d)(1), (e); 42 U.S.C. § 12117(a).

¹ Compass proposes that this instruction be inserted after its Proposed Jury Question No. 5, which itself follows Proposed Jury Question No. 16.

PROPOSED JURY QUESTION NO. 5a

Limitations (Title VII—Discrimination)

Did Plaintiffs Powell and Grant file charges of discrimination with the EEOC or another state or local agency alleging that Compass Bank discriminated against them on the basis of national origin within 300 days of the alleged discrimination?

Answer “Yes” or “No.”

Plaintiff Powell: _____

Plaintiff Grant: _____

ACCEPTED: _____

REJECTED: _____

To which rejection, Compass Bank hereby objects.

UNITED STATES DISTRICT JUDGE

AUTHORITY:

42 U.S.C. § 2000e-5(e)(1).

PROPOSED JURY QUESTION NO. 5b

Limitations (Title VII—Retaliation)

Did Plaintiffs Powell and Grant file charges of discrimination with the EEOC or another state or local agency alleging that Compass Bank retaliated against them for their opposition to and reporting of alleged discrimination on the basis of national origin within 300 days of the alleged retaliation?

Answer “Yes” or “No.”

Plaintiff Powell: _____

Plaintiff Grant: _____

ACCEPTED: _____

REJECTED: _____

To which rejection, Compass Bank hereby objects.

UNITED STATES DISTRICT JUDGE

AUTHORITY:

42 U.S.C. § 2000e-5(e)(1).

PROPOSED JURY QUESTION NO. 5c

Limitations (ADEA—Discrimination)

Did Plaintiffs Powell and Grant file charges of discrimination with the EEOC or another state or local agency alleging that Compass Bank discriminated against them on the basis of age within 300 days of the alleged discrimination?

Answer “Yes” or “No.”

Plaintiff Powell: _____

Plaintiff Grant: _____

ACCEPTED: _____

REJECTED: _____

To which rejection, Compass Bank hereby objects.

UNITED STATES DISTRICT JUDGE

AUTHORITY:

29 U.S.C. § 626(d)(1).

PROPOSED JURY QUESTION NO. 5a

Limitations (ADEA—Retaliation)

Did Plaintiffs Powell and Grant file charges of discrimination with the EEOC or another state or local agency alleging that Compass Bank discriminated against them on the basis of national origin within 300 days of the alleged discrimination?

Answer “Yes” or “No.”

Plaintiff Powell: _____

Plaintiff Grant: _____

ACCEPTED: _____

REJECTED: _____

To which rejection, Compass Bank hereby objects.

UNITED STATES DISTRICT JUDGE

AUTHORITY:

42 U.S.C. § 2000e-5(e)(1).

PROPOSED JURY QUESTION NO. 5e

Limitations (ADA—Discrimination)

Did Plaintiff Powell file a charge of discrimination with the EEOC or another state or local agency alleging that Compass Bank discriminated against him because of his diabetes within 300 days of the alleged discrimination?

Answer “Yes” or “No.”

ACCEPTED: _____

REJECTED: _____

To which rejection, Compass Bank hereby objects.

UNITED STATES DISTRICT JUDGE

AUTHORITY:

29 U.S.C. § 626(d)(1); 42 U.S.C. § 12117(a).

Respectfully submitted,

/s/ Michael R. Buchanan

Michael R. Buchanan
Texas Bar No. 03288300
michael.buchanan@ogletree.com
**OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.**
8117 Preston Road, Suite 500
Dallas, Texas 75225
Telephone: (214) 987-3800
Facsimile: (214) 987-3927

Derek T. Rollins
Texas Bar No. 24058079
derek.rollins@ogletree.com
**OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.**
301 Congress Avenue, Suite 1150
Austin, Texas 78701
Telephone: (512) 344-4700
Facsimile: (512) 344-4701

Holly H. Williamson
Texas Bar No. 21620100
hwilliamson@huntonak.com
HUNTON, ANDREWS, KURTH, LLP
600 Travis, Suite 4200
Houston, Texas 77002
Telephone: (713) 229-5717
Facsimile: (713) 229-5780

Gary Enis
Texas Bar No. 24101733
genis@huntonak.com
HUNTON, ANDREWS, KURTH, LLP
1445 Ross Avenue, Suite 3700
Dallas, Texas 75202-2799
Telephone: (214) 979-2924
Facsimile: (214) 979-3910

**Attorneys for Defendant Compass
Bank d/b/a BBVA Compass**

CERTIFICATE OF SERVICE

I hereby certify that on January 11, 2021, I electronically transmitted the attached document to the Clerk of the Court using the Courts' CM/ECF filing system. The Clerk of Court will transmit a Notice of Electronic Filing to all counsel of record, including the following ECF registrants:

Monte K. Hurst
Monte.Hurst@hallettperrin.com
Bryan P. Stevens
BStevens@hallettperrin.com
David Hammack
DHammack@hallettperrin.com
HALLETT & PERRIN, P.C.
1445 Ross Avenue, Suite 2400
Dallas, Texas 75202

/s/ Michael R. Buchanan

Michael R. Buchanan

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